**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

Public Services - Police – Disciplinary action against Sri.H.Shyam, ARPC 726-KI/RPC 938 of Vijayawada (now Retired) – Charges held Proved -Imposition of the penalty of pension cut by 25% for a period of 2 years duly treating the period of dismissal from 12-08-1999 to 17-11-2002 as "Not on duty" – Orders – Issued.

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**HOME (SER.II) DEPARTMENT**

**G.O.RT.No. 748** **Dated: 04-07-2015**
Read the following:-

1.From the Director General of Police, A.P. Hyderabad, Rc.No.3348/Appeal-3/ 2012,dt.24-11-2012 & 25.7.2014.

2.Govt., Memo No.36209/Ser.II/A2/2012, dated 11-02-2015.

3.From the Director General of Police, AP, Hyderabad Rc.No.3348/T1 /2012, dated 04-04-2015 along with explanation of Rtd. ARPC 726 H.Shyam, dated: 19-03-2015.

4. Govt. Letter No.36209/Ser-II/A2/2012, dated:20-05-2015.

5.From the Secretary, APPSC, Hyderabad, Lr.No.490/RT/2/2015,

dt. 18-06-2015.

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**ORDER:**

In the letter 1st read above, the Director General of Police, Andhra Pradesh, Hyderabad, has stated that Sri.H.Shyam, ARPC 726-KI/RPC 938 of Vijayawada (now Retired) was dealt with an OE for the following charge.

> "Gross misconduct that on 17/6/97 Kum. Padmavathi, 17 yrs who was residing in the opposite quarter of the Charged Officer, went to terrace of her quarter at about 5 p.m., to collect the drilled clothes. When she was coming to her residence with the clothes, the Charged Officer went there, caught hold of her hand and misbehaved with her. When she raised cries, he threatened her with dire consequences. However, she resisted him, released herself and came to her parents and informed about the misbehavior. When they were about to go to PS to report the matter at 5 p.m., on 20-06-1997, the wife and sister –in-law of the Charged Officer trespassed into their house, beat Kum. Padmavathi, and her mother with hands and abused them in filthy language. Thereupon they went to the P.S., and lodged a report against the Charged Officer, where a case in Cr.No.78/97 U/S 354,447,323, 506 r/w 34 IPC was registered at chilakalapudi P.S.,"

2. The DSRP,GRP Vijayawada who was appointed as Enquiry Officer conducted the OE and held the charge proved against the charged officer.

3. The Charged Officer was "Dismissed from service" w.e.f., 12-08-1999 vide DO. No.384/1999, dt. 23-08-1999 of the S.P., GRP, Vijayawada, as the criminal case 78/1997 u/s 354,447.323,506 r/w 34 IPC ended in conviction and the accused was sentenced to undergo RI for 3 years, fined Rs.1,000/- in default to suffer 2 months SI vide SC.No.227/97 on 12.08.1999. He was re-instated into service by the SP, GRP, Vijayawada on 27.11.2002 vide DO.No.309/2002 dt.15.11.2002, as the conviction of criminal case was set-aside and the appellant was acquitted by the Higher Court on appeal. Whereas in Departmental enquiry the charge against the charged officer is proved.

Contd/-

4. The charged officer retired from service on 30.06.2011 on superannuation before completion of the disciplinary proceedings and the Director General of Police, AP, Hyderabad has referred the issue to Government for finalizing the case under Rule 9 of Andhra Pradesh Revised Pension Rules 1980.

5. Government after examining the issue provisionally decided to impose the penalty of pension cut by 25% for a period of 2 years duly treating the period of dismissal from 12-08-1999 to 17-11-2002 as "Not on duty", under Rule 9 of A.P. Revised Pension Rules, 1980. Accordingly, a show cause notice was issued to the charged officer vide reference 2nd read above and he has submitted his explanation vide reference 3rd read above.

6. After careful examination of the explanation of the individual, Government have decided to confirm the penalty of pension cut by 25% for a period of 2 years duly treating the period of dismissal from 12-08-1999 to 17-11-2002 as "Not on duty" against Sri.H.Shyam, ARPC 726-KI/RPC 938 of Vijayawada (now Retired) under Rule 9 of A.P. Revised Pension Rules, 1980., for the charges held proved against him and the matter was referred to the A.P. Public Service Commission for its advice. The A.P. Public Service Commission, in the letter 5th read above, have agreed with the proposal of the Government.

7. Therefore, Government hereby impose the penalty of pension cut by 25% for a period of 2 years duly treating the period of dismissal from 12-08-1999 to 17-11-2002 as "Not on duty" against Sri.H.Shyam, ARPC 726-KI/RPC 938 of Vijayawada (now Retired). A copy of the reference 5th read above is communicated to the individual, concerned, as per Rule 23 of APCS (CC&A) Rules, 1991.

8. The Director General of Police, A.P., Hyderabad, is requested to take follow up action in the matter accordingly. The original records received through the letter 1st read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.B.PRASADA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, A.P., Hyderabad. (with records)
Copy to:-
The individual concerned. (through the D.G.P., A.P., Hyderabad)
The Secretary, A.P. Public Service Commission, Hyderabad.
The Accountant General of Andhra Pradesh, Hyderabad.
The Director of Treasuries & Accounts, A.P. Hyderabad.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER